

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TIANA HOWARD-JOHNSON,

Plaintiff,

Case No. 10-13870

Honorable David M. Lawson

v.

V & S DETROIT GALVANIZING, LLC,

Defendant.

_____ /

ORDER DENYING PLAINTIFF’S MOTION TO AMEND THE COMPLAINT

The matter is before the Court on the plaintiff’s motion to amend the complaint. The plaintiff’s motion does not indicate whether plaintiff’s counsel sought concurrence in the relief requested from counsel for the defendant, as plaintiff’s counsel was obliged to do under the local rules. *See* E.D. Mich. LR 7.1(a). In this district, movants must seek concurrence in the relief requested before filing a motion for relief in this Court. E.D. Mich. LR 7.1(a). If concurrence is obtained, the parties then may present a stipulated order to the Court. If concurrence is not obtained, Local Rule 7.1(a)(2) requires that the moving party state in the motion that “there was a conference between the attorneys . . . in which the movant explained the nature of the motion and its legal basis and requested but did not obtain concurrence in the relief sought [] or . . . despite reasonable efforts specified in the motion, the movant was unable to conduct a conference.” E.D. Mich. LR 7.1(a)(2).

The plaintiff does not state in her motion that concurrence was sought from the defendant before filing the motion. “It is not up to the Court to expend its energies when the parties have not sufficiently expended their own.” *Hasbro, Inc. v. Serafino*, 168 F.R.D. 99, 101 (D. Mass. 1996).

The plaintiff has filed her motion in violation of the applicable rules. Therefore, the Court will deny the plaintiff's motion.

Accordingly, it is **ORDERED** that the plaintiff's motion to amend the complaint [dkt. #34] is **DENIED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Date: November 23, 2011

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on November 23, 2011.

s/Deborah R. Tofil
DEBORAH R. TOFIL